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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,856	03/14/2002	Giovanni Bazzoni	163-386	4483
47888	7590	03/24/2005	EXAMINER	
HEDMAN & COSTIGAN P.C. 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036			NGUYEN BA, PAUL H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

HL

<b>Office Action Summary</b>	<b>Application No.</b> 10/099,856	<b>Applicant(s)</b> BAZZONI ET AL.	
	<b>Examiner</b> Paul Nguyen-Ba	<b>Art Unit</b> 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 June 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☒ Claim(s) 9-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/14/2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Notice to Applicant*

1. This action is responsive to Declaration and Foreign Papers filed on June 19, 2002.
2. Claims 1-24 are currently pending. Claim 1 is independent claims.

### *Priority*

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 101*

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims need to be directed towards a “computer-implemented” method.

The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment, or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. §101.

To expedite a complete examination of the instant application the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

***Claim Objections***

6. Claims 1-24 are objected to because of the following informalities:

References to Drawings (numbers and parenthesis) should be removed from the claim language. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. The phrase "which are treated so as to appear like real objects" renders **claim 1** indefinite. The phrase is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Examiner suggests defining the scope of what exactly the appearance of a "real object" necessitates.

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10. The phrase “behaves like a standard web browser” renders the **claim 1** indefinite. The phrase is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Examiner suggests further defining or listing the functions Applicant considers essential to a “standard web browser.”

11. The terms “it” and “its” in **claim 1** should be replaced in order to remove all doubt as to what the terms are attempting to modify.

12. The phrase “rests listening step” renders the **claim 9** indefinite. The phrase is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

13. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

### ***Drawings***

14. The drawings are objected to under 37 CFR 1.83(a) because they fail to show any features or details described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing

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sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

15. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables

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having more than 50 pages of text are permitted to be submitted on compact discs.) or

REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).

"Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

### **Content of Specification**

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

Or alternatively, Reference to a "Microfiche Appendix": See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.

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- (e) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
  - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
  - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (f) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (g) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (h) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (i) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations



to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).

- (j) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).
- (k) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

### ***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 1, 2, 5, 6, 17-21, 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chupin et al. ("Chupin"), U.S. Patent Application Publication No. 2003/0222902, in view of Gallo et al. ("Gallo"), U.S. Patent No. 6,636,246.

#### **Independent Claim 1**

Chupin teaches a method for the creation, visualisation and management of three-dimensional objects on web pages, suitable for allowing access to three-dimensional objects

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present on a web browser (29) of a network of the World-Wide-Web type (see Abstract and Summary), characterised in that it comprises

*a first electronic processing step of said objects, which are treated so as to appear like real objects on standard web pages, said objects being suitable for interacting with a user, so as to visualise their information present on their outer surfaces, (see Figs. 4-7; ¶¶ [0024], [0026-0030] → i.e. Surf Monkey, Cybot, etc. interact with a user), and*

Chupin teaches superimposing particular web browser capabilities to object faces as discussed above, but does not specifically teach *a second superimposition step...so that each face of every object behaves like a standard web browser*. However, Gallo teaches a three-dimensional spatial user interface wherein each portal (i.e. face) of the object behaves like a standard web browser (see col. 6 lines 15-40; col. 9 lines 49-56; col. 11 lines 62-67) for the purpose of providing a practical and visually intuitive interface to allow users to efficiently and intuitively access the resources of a computing device via a three dimensional user interface (col. 4 lines 35-43).

Since Chupin and Gallo are both from the same field of endeavor, the purposes disclosed by Gallo would have been recognized in the pertinent art of Chupin. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Chupin with the teachings of Gallo to include a second superimposition step, so that each face of every object behaves like a standard web browser for the purpose of providing a practical and visually intuitive interface to allow users to efficiently and intuitively access the resources of a computing device via a three dimensional user interface.

## **Claim 2**

Chupin teaches a 3D web browser for Internet access for at least two acting subjects (see ¶ [0021] → i.e. parents and kids) with respect to independent claim 1 as discussed above. A web server is considered inherent to ensure a computer that delivers (*serves up*) web pages.

## **Claims 5, 6, 18-21, 23 and 24**

Chupin does not specifically teach a 3D interface which can be managed by the authors in a static or dynamic manner. However, Gallo teaches a static model of creating a sensory cue for a portal as well as dynamically updating the sensory cues by their associated application (see col. 12 lines 59-61). Script authoring is provided through a visual interface for simple scripts or through a text-based interface for more sophisticated users. The visual interface will be available to a user who wishes to customize a SUI. More sophisticated users may take advantage of third party script libraries. Scripting is supported at the global level, at the SUI level and at the portal level (see col. 12 lines 52-59). The associated application may continue to execute even if the portal in which it is contained is not active. For example, a user may choose to render a complex 3D figure and rather than wait for the application to complete the rendition, move on to another portal. Upon completion of the rendition, the portal will be updated with the new 3D figure (see col. 12 lines 61-67).

Since Chupin and Gallo are both from the same field of endeavor, the purposes disclosed by Gallo would have been recognized in the pertinent art of Chupin. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the

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teaching of Chupin with the teachings of Gallo to include a 3D interface which can be managed by the authors in a static or dynamic manner for the purpose of providing a practical and intuitive interface to allow authors efficient and intuitive resources to create and generate a visually three dimensional user interface.

**Claim 17**

Chupin does not specifically teach *states of position which can be set by the user, through interaction with the mouse*. However, Gallo teaches states of position which can be set by the user through interaction with the mouse for the purpose of manipulating graphical abstractions through various states of position (see col. 1 lines 40-43, col. 8 lines 55 *et seq.*).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Chupin with the teachings of Gallo to include states of position which can be set by the user through interaction with the mouse for the purpose of manipulating graphical abstractions through various states of position.

18. Claims 3, 4, 8, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chupin et al. ("Chupin"), U.S. Patent Application Publication No. 2003/0222902, in view of Gallo et al. ("Gallo"), U.S. Patent No. 6,636,246, in further view of Harvill et al. ("Harvill"), U.S. Patent No. 6,559,845.

**Claims 3 and 4**

Chupin, in view of Gallo, teach the system with respect to claim 2 as discussed above, but do not specifically teach said software application consists of the 3D player active component which, if already present inside said processor of the end user allows the generation of a reference file containing the description of said three-dimensional objects to be visualized or can be downloaded automatically from a web server and can be installed in the processor of the end user, so that a plurality of web browsers access said web application simultaneously.

However, Harvill teaches a three dimensional animation system and method wherein a 3D player active component is stored on a web server for later download (see col. 7 lines 6-22) for the purpose playing 3D files and sending files necessary for playing such over a communications network.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Chupin, in view of Gallo, with the teachings of Harvill to include a software application consisting of a 3D player active component which, if already present inside said processor of the end user allows the generation of a reference file containing the description of said three-dimensional objects to be visualized or can be downloaded automatically from a web server and can be installed in the processor of the end user, so that a plurality of web browsers access said web application simultaneously for the purpose playing 3D files and sending files necessary for playing such over a communications network.

**Claim 8**

Chupin, in view of Gallo, in further view of Harvill teach the system with respect to claim 4 as discussed above. Furthermore, Chupin-Gallo-Harvill teach allowing the user to manipulate the position and orientation of said 3D object in space and guarantees a series of operation which the user completes on interfaces based on Hyper-text (see Gallo col.5 lines 19-38).

**Claim 22**

Chupin-Gallo-Harvill do not specifically teach reading a licensing file of said server and comparing it with an access key to determine the file's validity. However, it was commonly known to those of ordinary skill in the art and would have been obvious at the time the invention was made to a person having ordinary skill in the art to have a 3D player read a licensing file of a server and comparing it with an access key to determine the file's validity for the purpose avoiding possible intellectual property infringement.

19. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chupin et al. ("Chupin"), U.S. Patent Application Publication No. 2003/0222902, in view of Gallo et al. ("Gallo"), U.S. Patent No. 6,636,246, in further view of Dalal et al. ("Dalal"), U.S. Patent No. 6,363,404.

### **Claim 7**

Chupin, in view of Gallo, teach the system with respect to claim 2 as discussed above, but do not specifically teach an application of the ActiveX type. However, Dalal teaches three-dimensional models with one or more markup documents stored in the texture image files mapped to predetermined locations on the three-dimensional models are created. As a result, the markup documents are displayed when the three-dimensional model is displayed. The displayed markup documents may include user-interface elements, such as buttons, events, listboxes, dropdowns, scrollbars, layout, text, three-dimensional party controls (like plugins, ActiveX controls, Shockwave), images, animation, timer services, alignment, flow-control, scripting languages, and the like for the purpose of allowing users the ability to interact with the texture of the three-dimensional model (see col. 3 lines 1-30).

Since Chupin and Dalal are both from the same field of endeavor, the purposes disclosed by Dalal would have been recognized in the pertinent art of Chupin. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Chupin with the teachings of Dalal to include an application of the ActiveX type for the purpose of allowing users the ability to interact with the texture of the three-dimensional model.

### ***Allowable Subject Matter***

20. Claims 9-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and

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any intervening claims. It is also noted that the claims must be rewritten to overcome the 35 U.S.C. 101 and 112 second paragraph rejections as well.

It appears that Applicant's particular method of creation, visualization and management characterized in that it foresees following steps of recognition of data formats in input; validation by means of an authentication file and verification with access keys, in the case in which a text format is recognized; reading of the description of elements by at least one document on the net and creation of at least one three-dimensional object in memory; realization of a new web browser for each face of said three-dimensional object associated with the address of a html file or with a whatever server application which restores a html file; loading of the html pages; subsequent implementation of a rendering step and rests listening step for a subsequent input made by the user; implementation of a texturing step, in which the image of said html page visualized in the web browser is memorized; and derivation of a physical image of the web page by said web browser in consecutive moments in time and sending of said image to a rendering block together with the geometric and physical description of said three-dimensional object at the same moment, said rendering block being capable of generating and visualizing a perspective image of said object on a monitor was not taught by, would not have been obvious over, nor would have been fairly suggested by the prior art of record.

The closest prior art, Chupin et al. ("Chupin"), U.S. Patent Application Publication No. 2003/0222902 teaches a method for the creation, visualization and management of three-dimensional objects on web pages, suitable for allowing access to three-dimensional objects present on a web browser of a network of the World-Wide-Web type, characterized in that it comprises a first electronic processing step of said objects, which are treated so as to appear like



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real objects on standard web pages, said objects being suitable for interacting with a user, so as to visualise their information present on their outer surfaces.

Chupin et al. does not implicitly teach validation by means of an authentication file and verification with access keys, subsequent implementation of a rendering step and rests listening step for a subsequent input made by the user; implementation of a texturing step, in which the image of said .html page visualized in the web browser is memorized; and derivation of a physical image of the web page by said web browser in consecutive moments in time and sending of said image to a rendering block together with the geometric and physical description of said three-dimensional object at the same moment, said rendering block being capable of generating and visualizing a perspective image of said object on a monitor. The closest prior art fails to anticipate or render Applicant's limitations above obvious.

### ***Conclusion***

21. The prior art made of record and not relied upon, but considered pertinent to applicant's disclosure, is cited on Form PTO-892.


22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 10 am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB



SANJIV SHAH  
PRIMARY EXAMINER